IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5456 of 1990

For Approval and Signature:

HON'BLE DR.JUSTICE J.N.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

KISHORKUMAR K PATEL

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 5456 of 1990

MR VH DESAI for Petitioner No. 1-5

MR DABHI, AGP for Respondent No. 1-4

CORAM : HON'BLE DR.JUSTICE J.N.BHATT

Date of decision: 24/08/2004

ORAL JUDGEMENT

1. Upon the matter being called out, learned Assistant Government Pleader Mr.Dabhi has drawn the

attention of the Court that in identical other two matters, the matters are ordered to be disposed of being infructuous and on the same analogy, this matter is, also, required to be disposed of as having become infructuous for the reason that similar facts, identical relief and the challenge herein is also the same. He has also drawn attention of this Court to para 9 which states as under.:

"9. The petitioners submit that one Spl.C.A.No.4443/90 is filed before this Hon'ble Court wherein the legality and validity of the Government resolution dt. 28th November 1988 and 21st June 1990 are in question and after hearing the parties, the Hon'ble court has admitted the petition and granted interim orders. The petitioners crave leave to amend, alter, delete or modify any of the foregoing grounds as and when necessary."

2. In view of the aforesaid facts, this petition also shall stand disposed of as having become infructuous. Rule is discharged. No costs.

(J.N.Bhatt,J)
(pathan)